

## **II. Remarks**

Claims 1-21 were pending in this application and have been rejected. The present amendment cancels claim 6 and amends claim 1 to more particularly point out and clarify Applicant's invention. No new matter has been added. After this amendment, claims 1-5 and 7-21 will be pending.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

### *Rejections under 35 U.S.C. § 103*

Claims 1, 2, 5-9, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,977,653 issued to Schmid, et al. ("Schmid") in view of GB Patent No. 2,370,671 issued to Bauch, et al. ("Bauch") and U.S. Patent No. 5,950,973 issued to Verma ("Verma"). Claim 6 has been cancelled by the present amendment and therefore, the rejection of claim 6 is now moot. In view of the amendments and remarks contained herein, Applicant respectfully submits that the rejections of claims 1, 2, 5, 7-9, and 15 are traversed.

Claim 1 has been amended to recite that the vehicle safety arrangement comprises a velocity sensor. The control unit is operable to receive information from the sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor. Support for this amendment may be found in Applicant's application at paragraphs [0052]-[0055].

Schmid discloses a detection configuration 20 (Examiner indicated as being most analogous to Applicant's claimed sensor unit) in communication with a central

configuration 10 (Examiner indicated as being most analogous to Applicant's claimed control unit) to be used for side-impact detection and for firing a restraining device of a vehicle. The detection configuration 20 includes an acceleration sensor 5 and is disposed in a side part of the vehicle. The central configuration 10, which includes a control unit 1 and an acceleration sensor 6, is centrally positioned in the vehicle along the central longitudinal axis A'-A', for example in the proximity of the vehicle drive shaft tunnel or the dashboard. The central configuration 10 evaluates the signals from the detection configuration 20 to determine whether or not firing element 100 is to be fired. *Schmid* at Col. 4, lines 43-45, Col. 5, lines 55-59, Col. 7, lines 6-51, Col. 9, lines 19-25, and Figures 3 and 5. Notably, Schmid fails to disclose a velocity sensor and that the central configuration 10 is operable to receive information from both the detection configuration 20 and the velocity sensor to transmit an actuation command to the firing element 100.

Bauch discloses a side impact sensing system 10 that has a first impact sensor 18 mounted on the door 36 of the vehicle 12 and a second impact sensor 26 mounted in the passenger compartment 52. The first and second impact sensors 18 and 26 provide signals to a controller 14 which compares the signals to determine whether to inflate an airbag 28. *Bauch* at Abstract and page 5 and Figure 1. Notably, the side impact system does not have a velocity sensor, and the controller 14 is not operable to receive information from both a velocity sensor and one of the impact sensors 18, 26 to transmit an actuation command to inflate the airbag 28.

Verma discloses a mounting system and a method of mounting a housing for a control device for a vehicle. Notably, however, Verma fails to disclose a velocity

sensor and a control device that is operable to receive information from both a sensor unit, which has an acceleration sensor, and a velocity sensor to transmit an actuation command to a safety device.

Schmid, Bauch and Verma do not independently or in combination, disclose, teach or suggest the present invention recited in claim 1. More specifically, Schmid, Bauch and Verma do not disclose, teach or suggest a vehicle safety arrangement comprising a velocity sensor and a control unit operable to receive information from the sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor to transmit an actuation command to an actuator to activate a safety device. In that Schmid, Bauch and Verma lack the noted elements of claim 1, the rejections based thereon should be withdrawn. Accordingly, Applicant believes that claim 1 and its dependent claim 2, 5, 7-9, and 15 are in a condition for allowance.

Claims 3 and 4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view of Bauch and Verma, and further in view of GB Patent No. 2,292,126 issued to Burton, et al. ("Burton"). In view of the amendments and remarks contained herein, Applicant respectfully submits that the rejections of claims 3 and 4 are traversed.

Since claims 3 and 4 depend on claim 1 and since Burton fails to disclose a vehicle safety arrangement comprising a velocity sensor where a control unit is operable to receive information from a sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor to transmit an actuation command to the actuator to activate the safety device, the

combination of Schmid, Bauch, Verma and Burton cannot render the claims of the present invention as obvious. The rejections under §103(a) are therefore improper and should be withdrawn.

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view of Bauch and Verma, and further in view of U.S. Patent No. 6,113,138 issued to Hermann, et al. ("Hermann"). In view of the amendments and remarks contained herein, Applicant respectfully submits that the rejection of claim 10 is traversed.

Since claim 10 depends on claim 1 and since Hermann fails to disclose fails to disclose a vehicle safety arrangement comprising a velocity sensor where a control unit is operable to receive information from a sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor to transmit an actuation command to the actuator to activate the safety device, the combination of Schmid, Bauch, Verma and Hermann cannot render the claim of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Claim 11 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view of Bauch and Verma, and further in view of U.S. Patent No. 6,459,366 issued to Foo, et al. ("Foo"). In view of the amendments and remarks contained herein, Applicant respectfully submits that the rejection of claim 11 is traversed.

Since claim 11 depends on claim 1 and since Foo fails to disclose a vehicle safety arrangement comprising a velocity sensor where a control unit is operable to

receive information from a sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor to transmit an actuation command to the actuator to activate the safety device, the combination of Schmid, Bauch, Verma and Foo cannot render the claim of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Claims 12-14 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view of Bauch and Verma, and further in view of U.S. Publication No. 2002/0084636 issued to Lewallen, et al. ("Lewallen"). In view of the amendments and remarks contained herein, Applicant respectfully submits that the rejections of claims 12-14 and 16 are traversed.

Since claims 12-14 and 16 depend on claim 1 and since Lewallen fails to disclose a vehicle safety arrangement comprising a velocity sensor where a control unit is operable to receive information from a sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor to transmit an actuation command to the actuator to activate the safety device, the combination of Schmid, Bauch, Verma and Lewallen cannot render the claims of the present invention as obvious. The rejections under §103(a) are therefore improper and should be withdrawn.

Claims 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view of Bauch and Verma, and further in view of U.S. Patent No. 6,522,992 issued to McCall, et al. ("McCall"). In view of the amendments and remarks contained herein, Applicants respectfully submits that the rejections of claims 17-20 are traversed.

Since claims 17-20 depend on claim 1 and since McCall fails to disclose a vehicle safety arrangement comprising a velocity sensor where a control unit is operable to receive information from a sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor to transmit an actuation command to the actuator to activate the safety device, the combination of Schmid, Bauch, Verma and McCall cannot render the claims of the present invention as obvious. The rejections under §103(a) are therefore improper and should be withdrawn.

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Schmid in view of Bauch and Verma, and further in view of U.S. Patent No. 6,145,389 issued to Ebeling, et al. ("Ebeling"). In view of the amendments and remarks contained herein, Applicant respectfully submits that the rejection of claim 21 is traversed.

Since claim 21 depend on claim 1 and since Ebeling fails to disclose a vehicle safety arrangement comprising a velocity sensor where a control unit is operable to receive information from a sensor unit and the velocity sensor to perform a crash algorithm using the information from the sensor unit and the velocity sensor to transmit an actuation command to the actuator to activate the safety device, the combination of Schmid, Bauch, Verma and Ebeling cannot render the claim of the present invention as obvious. The rejection under §103(a) is therefore improper and should be withdrawn.

Accordingly, Applicant believes that claims 3-4, 10-14 and 16-21 are in a condition for allowance.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

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